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Attorneys for Defendant
LIBRE BY NEXUS, INC.

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JUAN QUINTANILLA VASQUEZ GABRIELA
PERDOMO ORTIZ, and VICTOR HUGO
CATALAN MOLIN, individually and on behalf
of all others similarly situated,

Plaintiffs,

vs.

LIBRE BY NEXUS, INC. and JOHN DOES
1-50,

Defendants.

Case No. 4:17-cv-755-CW

**DECLARATION OF KENNETH E.
PAYSON RE: PROVIDING ORDER TO
SHOW CAUSE TO MICHEAL
DONOVAN, EVAN AJIN, AND
RICHARD MOORE**

Assigned to the Hon. Claudia Wilken
Action Filed: February 15, 2017

DAVIS WRIGHT TREMAINE LLP

I, Kenneth E. Payson, declare as follows:

1. ***Identity of Declarant.*** I am a partner with Davis Wright Tremaine LLP (“DWT”), counsel to Defendant Libre by Nexus, Inc. (“LBN”). I have personal knowledge of the matters referred to in this Declaration.

2. ***Purpose of Declaration.*** I submit this declaration in response to the Court’s Order to Show Cause of December 12, 2022 (ECF No. 236) (“December 12 Order”) related to Plaintiffs motion for an order to hold the principals of Libre by Nexus, Inc. (LBN), identified in the December 12 Order as Micheal Donovan, Evan Ajin, and Richard Moore, in civil contempt. In the December 12 Order, the Court ordered counsel for LBN to provide a copy of the December 12 Order to Messrs. Donovan, Ajin, and Moore within one business day of the date of the December 12 Order and file a declaration attesting to that within two days thereafter.

3. ***Court’s Order to Show Cause Provided to Messrs. Donovan Ajin, and Moore.*** On December 12, 2022, pursuant to the Court’s instructions and consistent with DWT’s and Gorby Peters’s coordination with each other to ensure prompt communication to LBN and its principals, I sent a pdf of the Court’s December 12 Order via email to Messrs. Donovan, Ajin and Moore at the email addresses DWT has on file for them and through which DWT has communicated with them regularly in the past. Copied on that email were LBN’s acting outside general counsel, Michael Song of Feldmann Nagel Cantagio & Song PLLC, and LBN’s other counsel of record, John Shoreman, Mohammed Aly, Mario Williams, Mary Donne Peters, and Michael Gorby at the current email addresses in the Court’s online docket for those counsel of record. I received an automated response to my email indicating Mr. Aly was no longer reachable at his email address listed in the Court’s online docket. I did not otherwise receive any notification of unsuccessful delivery of my email referenced above.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 14th day of December, 2022, in Seattle, Washington

By: /s/ Kenneth E. Payson
KENNETH E. PAYSON